

PUBLIC HEARING

FEBRUARY 25, 2015

A public hearing of the Council of the County of Kaua'i was called to order by Mason K. Chock, Chair, Planning Committee, on Wednesday, February 25, 2015, at 1:34 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Lihue, and the presence of the following was noted:

Honorable Mason K. Chock
Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable JoAnn A. Yukimura

Excused: Honorable Arryl Kaneshiro
 Honorable KipuKai Kuali'i
 Honorable Mel Rapozo

The Clerk read the notice of the public hearing on the following:

"Bill No. 2576 – A BILL FOR AN ORDINANCE ESTABLISHING REGULATIONS, PROCEDURES, ZONING, DEVELOPMENT PLANS, AND FUTURE GROWTH AREAS FOR THE SOUTH KAUA'I PLANNING DISTRICT, AND ESTABLISHING EXCEPTIONS, MODIFICATIONS, AND ADDITIONS TO CHAPTER 8 AND CHAPTER 9, KAUA'I COUNTY CODE 1987, AS AMENDED,"

which was passed on first reading and ordered to print by the Council of the County of Kaua'i on January 28, 2015, and published in The Garden Island newspaper on February 2, 2015.

The following communications were received for the record:

1. Bedwell, Curtis J., February 25, 2015
2. Kaneko, Susan Tai, February 25, 2015
3. Kawabata, Myka, February 25, 2015
4. Lo, Catherine, February 9, 2015 and February 25, 2015
5. Mills, Mary, February 25, 2015
6. Sakimae, Bruce K., February 24, 2015
7. Sirois, Hannah, February 24, 2015
8. Souza, Julie, February 25, 2015
9. Thesken, Bill, February 24, 2015

The hearing proceeded as follows:

SCOTT K. SATO, Council Services Review Officer: We currently have six (6) registered speakers. The first speaker is Julie Souza, followed by Catherine Lo.

Committee Chair Chock: Thank you. Good afternoon everyone. I know most of you are here for the South Shore Plan, but before I start, I just wanted to mention a few things as we move through this process because for those of you

who have looked at the plan, you have seen how big it is and how large it is, so it is very complex and it will take us some time to get through the whole plan. We have already received it or have taken it in for first reading. This is the public hearing section, which allows the public to testify for up to three (3) minutes each, and then an additional three (3) minutes if you choose to speak at a second time after everyone is done. What will happen next is on March 18th, we will have the consultant, who has drafted the plan, along with our Director and those who are responsible for drafting the plan, here to do a presentation. That presentation is probably going to take about an hour and a half in its entirety, and then we will have a lot of questions and answers of which we can also receive testimony at that time from the community. I know that for many of you, because that has not happened yet, there are a lot of questions that you have. I just wanted to let you know that this period is to receive your testimony and the Councilmembers are here to ask clarifying questions to your testimony. Some of the things that have come up, and I have tried to discuss with some of the people who are here outside beforehand, was the dairy. I know that the dairy is an issue for some people. I want you to know that the dairy is not part of the plan and it is already zoned specifically. It is in the Department of Health's hands, so it will not be part of this discussion here, but it will be as it is going through the Planning process on that side and eventually here, I am sure. The second question was regarding the Gateway project that is on the bypass road and I just wanted to clarify as well as much as I can before you folks give testimony is that some of the things I received in testimony was that it was zoned for R-20, which is not true. This property will be only a subject to form-based code, which is mixed use, which of course you will hear more about and how it is focused on workforce and affordable housing in the future to support the industry along the coast. If there are more questions regarding those details, I am happy to help you and I am sure that the Planning Department and Marie Williams are happy to help you, too. With that being said, can we have Ms. Souza come up, please?

JULIE SOUZA: *Aloha.* Before I really begin, let me just tell you that if I stumble, pick me up. My name is Julie Souza and I live on Hoona Road. I am the third generation living in my homestead and I will hope that we have more to come. My concern today however is that changing the zoning to the Visitor Destination Areas (VDA) would change the whole feel that we have now. Presently, we are putting up with the vacation rentals in our neighborhood. Parking is such a problem. Sometimes I come home and I cannot even get in my own driveway because the driveway is blocked. However, we put up with it because we feel that to be a good host, we need to do that, but they are not doing their share. That is another story. However, if this area is changed, what is to stop more building? The road is substandard and I believe that my dad tried about thirty (30) years ago to change this road to a one-way. It would only make sense because if you drive down there today, the people going to Baby Beach— it just takes up the entire road. I worked in hospitality for forty (40) years and I still promote Kaua'i. I tell you that our friends from afar are not only coming for the beauty of Kaua'i, but they are coming for the people of Kaua'i. We do not need any more vacation rentals on the south side. If we continue on this path of VDA, where are the people going to live? We will not be able to afford where we are living today and this area is the area that we have grown to love. Look at what is happening with our people waiting to use their chimneys to revive warmth, but this is another issue. There are things like this that is happening on our island home. I pray that all of you are looking out for the people of Kaua'i and our lifestyle. There is many times that the newcomers who come to Hawai'i want to call Hawai'i "home," but soon after they

buy their homes here, they try to change our lifestyle to what they have left. It does not make sense. What is wrong with this picture? By rezoning this special little neighborhood, it would change everything. Let me take a passage from Dr. Kanahele: "A sense of place referring to Hoona, Kaheka, and Puuholo Roads is more than a physical location. It is about the experiences associated with the place and how a place makes you feel." We can say that our place has a spiritual power; a power that makes us feel really good, along with the others that are coming to Baby Beach and/or walking our neighborhood. They feel connected to Hawai'i— I have two (2) more lines.

Committee Chair Chock: Okay.

Ms. Souza: We realize how much work went into this plan with the consultant, but if we had been given the opportunity to speak prior to the plan being formed, we would not be here today taking up your valuable time because we would put a hold on it at that time. *Mahalo* for your support and not taking away a little of what we have left in Kōloa and Kukui'ula. *Mahalo* for allowing me this opportunity.

Committee Chair Chock: Thank you. You have a question from Councilmember Yukimura.

Councilmember Yukimura: Thank you, Aunty Julie, for being here.

Ms. Souza: You are welcome.

Councilmember Yukimura: My understanding is that the designation VDA, which was in the original proposal, was taken out by the Planning Commission.

Ms. Souza: Yes.

Councilmember Yukimura: So you are here supporting the plan as is then?

Ms. Souza: Yes.

Councilmember Yukimura: Okay. I just wanted to make that clear.

Ms. Souza: Yes, but we did not want to not come today for fear that as soon as we turned our backs, it would have gone back to what they originally had. We did not know the whole structure or the legalities of it all.

Councilmember Yukimura: It is very good that you are here today and that you are affirming that you want what is in the plan right now.

Ms. Souza: Thank you. Yes. Only Whaler's Cove to be the VDA, which has always been, but not the rest of the neighborhood.

Councilmember Yukimura: Okay. Thank you.

Ms. Souza: Thank you very much.

Committee Chair Chock: Thank you. Next speaker, please.

Mr. Sato: Our next speaker is Catherine Lo, followed
by Allan Rachap.

CATHERINE LO: *Aloha* everyone. For the record, I am Catherine Lo, like in “lo and behold,” not “high and low.” Having E-mailed all of you on January 15, 2015, to call your attention to the Hoona Road neighborhood and the desire and the hope of the *kamaʻāina* residents to keep it residential and having sent my testimony on February 9, 2015 for approval of the South Kauaʻi Community Plan at its present draft. My testimony today should take less than three (3) minutes. Thank you for your continuing kind attention. As stated on page number 4-8 of the draft that was approved by the Planning Commission quote, “The Hoona Road neighborhood is shown as residential on the Land Use Plan with the exception of Whaler’s Cove.” My husband Carl and our neighbors and I are here today to reiterate before you that we want to preserve the rural lifestyle that long time residents in the neighborhood have been blessed to enjoy, continue to cherish, and want to preserve for future generations. Please support our vision to keep our small neighborhood residential. Members of the County Council, thank you for giving us the opportunity to appear before you today and *mahalo nui loa* for your understanding, consideration, and support. *Mahalo*.

Committee Chair Chock: Thank you. Next speaker, please.

Mr. Sato: The next speaker is Allan Rachap, followed
by Curtis Bedwell.

ALLAN RACHAP: Good afternoon. My name is Allan Rachap. I am a resident of the Poʻipū area. I have lived there and owned a home there for fifteen (15) years. Overall, I think that the South Kauaʻi Community Plan is an excellent plan. It presents a fine vision for the future for this part of the island. There is much to be admired in it and an awful lot of effort went into it, and it took some hardworking people from the Planning Department, Planning Commission, volunteer citizens, and consultants. I do not want to rip up that plan, but I do not know how I could, in your shoes, endorse it with one glaring omission, and that omission being that it excludes from consideration the implications of a proposed industrial dairy on six hundred (600) acres in Māhāʻulepū. It is in very close proximity to the major visitor destination on the area. It generates an awful lot of revenue for the island and employment, and after a lot of people did a lot of study of the fallout of similar operations on the mainland, it is something that deserves full consideration because all of your hopes, dreams, and aspirations about what the south part of Kauaʻi would look like and what the island would look like if the negative implications of this industrial dairy are realized, they are all for (inaudible). It just cannot happen. Two thousand (2,000) head of cattle envisioned for that six hundred (600) acres is the equivalent in terms of waste production of sixty thousand (60,000) people. Would you approve of sixty thousand (60,000) human beings settling in that Māhāʻulepū valley? Of course not. It could not support it. This factory farm that they are suggesting would have an extraordinarily negative impact on the visitor industry because in this internet day in age, the word gets out, “Do not go to Poʻipū. It smells. The flies will bite you.” Occupancy rates will dwindle in the visitor industry and as fallout of that and everything that is aligned with it like restaurants, retail, sales, outfitters, and tourism businesses would all suffer immensely. What would go up?

Unemployment. What would go down substantially are property values, not just for the commercial activities there, but for the individual residents and homeowners. The order of magnitude we are talking about...

Committee Chair Chock: That is your three (3) minutes.

Mr. Rachap: I will wind up in about thirty (30) seconds.
Thank you, Sir. We are talking about a thirty percent (30%) hit at minimum. That would equate to a loss of County tax revenue of about eight million dollars (\$8,000,000) a year. I do not know whether you want to be at another meeting deciding what services to cut or what other taxes to raise to offset that loss.

Committee Chair Chock: Thank you. You have a question here from Councilmember Hooser.

Councilmember Hooser: I just have a brief question. As the Chair mentioned, we are not here to debate the dairy today, but I believe the point that I am hearing is that the presence of large industrial enterprises such as that should be a consideration in the plan. Is that the main point you are making?

Mr. Rachap: That is correct, that even though it is technically an agricultural use, there are all kinds of agricultural uses; some good, some bad, and some with certain negative implications to the surrounding community. Certainly, this has to be taken into consideration as part of the plan. What would the fallout be?

Councilmember Hooser: Okay. Thank you. I just wanted to clarify that and the fact that it is not in the plan is the issue.

Mr. Rachap: It was just a bare blip on the radar at the time that the planners talked about it and it was "agricultural use, agricultural land; next." Now, with all the research that has gone into what the implications are—we realize that this is an eight hundred (800) pound gorilla in the room. You just cannot ignore it and I think it should be remanded for further study.

Councilmember Hooser: Thank you very much.

Mr. Rachap: Thank you.

Mr. Sato: The next speaker is Curtis Bedwell, followed by Sheila Lee.

CURTIS BEDWELL: *Aloha.* I am Curtis Bedwell, MAI. I am a Real Estate Appraiser by profession and Planner by education, and resident of Po'ipū. I first want to commend the County's Planning staff for their efforts in developing this South Kaua'i Community Plan. The plan shows that the Planning staff listened to the community and recognized specific needs such as increasing the walkability in the Po'ipū area and incorporating ideas for roadway design and providing much safer interaction between motor vehicles, bicycles, and pedestrians in the area as one example of one of the many merits to the plan. In addition to the outline of the vision for the Po'ipū Gateway mixed use village concept bringing more affordable housing and mixed uses to that area and making it more sustainable for living in the area. Some facts and figures about the Po'ipū area, because this is a

very important economic engine to Kaua'i, is that in 2014, the census tract that makes up the Kōloa-Po'ipū area generated over one hundred ten million dollars (\$110,000,000) in hotel and lodging revenue, which accounted for nearly half of all hotel and lodging revenue on the island. Also in 2014, the Kōloa-Po'ipū area, which is generally made up of tax maps 2-6, 2-8, and 2-9, provided over twenty-six million dollars (\$26,000,000) in tax revenues. Interestingly, sixty-nine percent (69%) of those tax revenues come from the Hotel and Resort tax classes and Vacation Rental tax classes combined, with another twenty-five percent (25%) coming from Residential and Homestead. Ninety four percent (94%) of those tax revenues are coming from residential and lodging places in Po'ipū. At twenty-six million dollars (\$26,000,000) that the Po'ipū area generates is over twenty-three percent (23%) of the County's entire revenues. It is a significant economic engine for the County. As the speaker previously mentioned his concerns over this large animal operation that has been proposed for agricultural lands in the Māhā'ulepū valley, it should be considered as part of this plan because there are traditional agricultural uses and animal based agricultural uses. Animal based agricultural uses have a much more negative impact potentially on communities. I have written testimony that I have submitted, so I am just glossing over some of that. A study at the University of Illinois studied one thousand one hundred (1,100) rural communities and concluded that the economic growth rates in communities with conventional farming as opposed to animal operations...

Committee Chair Chock: Mr. Bedwell, that is your three (3) minutes. You may have an additional three (3) minutes after all testifiers. We only have three (3) speakers left.

Mr. Bedwell: Sure. May I close with one or two sentences?

Committee Chair Chock: Okay.

Mr. Bedwell: Thank you. Communities that rely on conventional farming, which is considered plant or permanent crops, had fifty-five percent (55%) higher economic growth rates than communities with animal operations as part of their economies. Thank you for giving me time to speak and I would entertain any questions. Again, I do have my written testimony that I submitted.

Committee Chair Chock: We do. Thank you. Councilmember Yukimura.

Councilmember Yukimura: Thank you, Mr. Bedwell, for all of your work in doing this testimony and research. You show that one hundred million dollars (\$100,000,000) in revenues— are those mainly excise tax revenues?

Mr. Bedwell: That one hundred ten million dollars (\$110,000,000) is purely hotel and lodging sales and that is it. That is a source from Esri, an online demographics and data provider, as 2014 data. It does not account for all visitor spending in the area; only hotel and lodging sales.

Councilmember Yukimura: Okay.

Mr. Bedwell: I do think that it is a significant indicator of where visitor spending occurs on the island as well.

Councilmember Yukimura: Yes. You show that it is forty-seven point five percent (47.5%) of all the hotel and lodging revenue for the island.

Mr. Bedwell: Yes.

Councilmember Yukimura: Where do you say that it is twenty-three percent (23%) of the County's revenues? Was that for real property taxes?

Mr. Bedwell: Real property taxes are what I was referring to on the last page of my written testimony. It shows the area that makes up tax maps 2-6, 2-8, and 2-9, which is the general Kōloa-Po'ipū area. It is way too difficult to break it down any further than just the tax maps.

Councilmember Yukimura: Yes, it is not necessary to also break it down.

Mr. Bedwell: Yes. So it generates a little more than twenty-six million dollars (\$26,000,000) for 2014, which is a little more than twenty-three percent (23%) of the tax revenues for the County.

Councilmember Yukimura: Okay. Thank you. I appreciate that. You are showing a drop in real property tax values for areas that are close to large industrial dairies.

Mr. Bedwell: Are you referring to a specific paragraph that I had written?

Councilmember Yukimura: No. I am sorry that I have not read all of this, but on your page numbers 2 and 3, can you summarize the conclusions from your research?

Mr. Bedwell: On page number 3, there is a brief chart that concludes some research that was performed by... I will cite the person correctly... Dr. John A. Kilpatrick, PhD, MAI, FRICS, who has studied large-scale animal operations and their effects on the real property values in communities for many years. This is a brief synopsis of some of the results that he has cited in his studies and implications of that type of agricultural venture on communities and surrounding rural estate values.

Councilmember Yukimura: Okay. Did you look at his study?

Mr. Bedwell: I have read through lots of studies. I read through his publications, yes.

Councilmember Yukimura: Okay. Thank you very much.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: I thought that Councilmember Chock had kind of addressed that this plan does not specifically deal with the dairy. I think the plan just states that that land there is zoned agricultural, right?

Mr. Bedwell: Correct.

Councilmember Kagawa:
stop the dairy with the plan?

So how do you want the Council to try and

Mr. Bedwell: That is not my intention to ask the Council to stop the dairy. My intention was to point out that the differences in agricultural uses in the area should be studied. There are agricultural uses that would be compatible with the existing built environment and agricultural uses that would not be compatible and be detrimental to the existing built environment. I think that the South Kaua'i Community Plan should really examine how the agricultural uses interact with the resort...

Councilmember Kagawa: I understand that, but what we have before us is a South Shore Community Plan that talks about future development in that area as to how the working group saw the future and they did not go into the specific types of hotels that they wanted in this area or that area or a transient vacation rental (TVR) here. They did not go into specifics and I think this dairy thing goes into the specifics because dairy is a type of agriculture, but I do not think it is a job of a working group to go and get into the details of what kind of agriculture. This is a group that meets once or twice a week. I do not think they have the time to go into that kind of detail. I do not know if this plan is the right avenue to try and discuss this. If you guys want to pass a resolution that shows Council support against the dairy, then I think you can get a Councilmember to introduce a resolution that proposes a position, but I hope that we can kind of just get to— if we are going to talk about the dairy, then let us have a document, resolution, or what have you that will have an impact, should the Council decide that way. But I think the South Shore Plan is not addressing the dairy's concerns. That is just my fear. Thank you, Chair.

Mr. Bedwell: If I may respond, Councilmember, I must respectfully disagree. The South Kaua'i Community Plan identifies land use and designates areas and discusses areas of zoning, which higher density zoning and hotel zoning is specific to planning. I think one of the only shortfalls in the plan— personally, I think that this is a great plan and a very good vision for south Kaua'i. The only shortfall is that it does not discuss compatibility of various other uses. It does address compatibility of various residential uses versus single-family, multifamily, hotel and resort, but it does not discuss compatibility of various agricultural uses because there are big differences between corn, sugarcane, permanent crops like vineyards and orchards, and animal production. Those are very, very different industries.

Councilmember Kagawa: You have answered my question. Thank you.

Mr. Bedwell: Thank you very much.

Committee Chair Chock: Just for the record, I know as we receive more testimony from other testifiers out there, I think what Councilmember Kagawa is asking for is if your testimony is directly related to the Council direction in adding or addressing the dairy, and that is what I think you did as well as the previous speaker.

Mr. Bedwell: Yes. The intent was to directly address not the dairy, but the agricultural uses in the south side and how they are compatible with the existing built environment.

Committee Chair Chock: Thank you. We have one more question.
Councilmember Hooser.

Councilmember Hooser: Thank you for your testimony. Are you a Planner by training?

Mr. Bedwell: I have a degree in Bachelors of Science in Community and Regional Planning from Iowa State University and have pursued Real Estate Appraisal and have an MAI designated appraisal.

Councilmember Hooser: I think what I hear you saying is that you are suggesting that either the Council consider amending the plan, which I believe we have the legal authority to do, to include some planning provisions regarding industrial agriculture adjacent to resort and residential areas and/or send it back to the Planning Department people and have them think about it more. Those would seem to be the two options if we are going to address this issue in this document.

Mr. Bedwell: I would agree with those statements.

Councilmember Hooser: Okay. Also, what I think I hear you saying is that there are different kinds of agriculture and different kinds of impact. I believe that the Comprehensive Zoning Ordinance (CZO) today recognizes that and allows certain types of agriculture in open zoned land and others in agricultural zoned land, the different thresholds, so that might be one recommendation that this body or the Planning Department could recommend to mitigate these kinds of impacts. I think you are asking us to explore those kinds of options.

Mr. Bedwell: Yes I am. I understand some difficulties with that as well because agricultural uses are under the authority of the State Department of Agriculture under Hawai'i Revised Statutes (HRS) Title 11 and Hawai'i Administrative Rules (HAR) Title 4. I understand that there are some difficulties as far as the County.

Councilmember Hooser: As a Planner, you understand that we have zoning authority.

Mr. Bedwell: Absolutely.

Councilmember Hooser: It is my understanding that agricultural use on open zoned land has different rules than agricultural zoned land, so that would be an option that we could look at. Thank you. I just wanted to be clear on where you were coming from.

Committee Chair Chock: Councilmember Yukimura.

Councilmember Yukimura: What I am hearing you say is to have the plan address distinctions of agriculture, which may be best addressed in the Comprehensive Zoning Ordinance because the State and the County have dual jurisdiction over agricultural lands.

Mr. Bedwell:

Right.

Councilmember Yukimura: The regulation of agricultural lands is done through zoning, rather than the General Plan, which just has this classification “agriculture” or “important agriculture.” I would ask that if you do come across areas on the mainland that in their zoning of agricultural uses makes a distinction between industrial agriculture and other agriculture, I would ask that you share or point that out to us, so that we might look at those models.

Mr. Bedwell: It is not something that I am aware of directly, but I do know that Hawai‘i is unique in that the State and the Counties have dual jurisdiction over agriculture lands. That is very unique to any other jurisdiction in the United States.

Councilmember Yukimura: What?

Mr. Bedwell: I said it is very unique to any other jurisdiction in the United States.

Councilmember Yukimura: That is probably true, although I do not know. Thank you very much.

Committee Chair Chock: Thank you. Next speaker, please.

Mr. Sato: The next speaker is Sheila Lee, followed by Greg Peters.

SHEILA LEE: *Aloha.* I am Sheila Lee and I have come to support my neighbors, and of course my husband, for the proposed new, revised planning for south shore that our neighborhood remains residential. I would hope that that would continue to stay that way. I want to thank you for having these meetings because it is so interesting to me how the process works. I have learned a lot, some of which I have been very disappointed by and some I have felt great about and feel that we are on the right track for Kaua‘i. Thank you so much. That is all I wanted to say.

Committee Chair Chock: Thank you. Next speaker, please.

Mr. Sato: The next speaker is Greg Peters representing Mālama Māhā‘ulepū, followed by Mary Mills.

GREG PETERS: Hello. I would like to thank the Council for entertaining these comments today. My name is Greg Peters. I am speaking to you this afternoon both as an individual resident of Kōloa and on behalf of the nonprofit, Mālama Māhā‘ulepū, as its Executive Director. We are here today to offer our support and affirm the current draft of the South Kaua‘i Community Plan. Our organization had the duty and obligation to protect this collection of natural resources, history, stories, daily experiences, and beauty. It is for this reason that all of us together that make this *ahupua‘a* heritage place and a unique conservation and resource management opportunity. It truly is the iconic representation of the island’s rural and untouched character. We have been engaged with the County, specifically the Planning staff, Planning Department, and Planning Commission for

several months now. We have attended meetings. We have provided written and oral testimony. We have seen this document evolve and our hope has always been to see it improve from the 2000 plan. We have found that the Planning Department has been receptive towards our interest in seeing increased resources recognized in the body of the plan and seeing more conservation opportunities explored for this area. We feel that the plan builds on the government's past efforts for preservation and achieves the public's desire to preserve the land and we feel like this is currently reflected in the document. We hope to be able to provide more detailed comments in the coming weeks before the meeting on the 18th and outline what we feel would be compatible land uses and more detailed conservation opportunities for the area. At this point, I just wanted to be brief and I thank everybody for working on it. I hope you will consider passing it in its current form. Thank you.

Committee Chair Chock: Thank you. Next speaker, please.

Mr. Sato: The next speaker is Mary Mills, followed by
Beryl Blaich.

MARY MILLS: Before I start today, I brought you a photograph of Hoona Road of a little house that I have been able and blessed to live in before Hurricane 'Iniki. Next door here is the Rosenberger house and I lived in this little shack here, which at one time was a chinchilla house.

Committee Chair Chock: It would be best to state your name into the mic as well.

Ms. Mills: Okay. Mary Mills.

Committee Chair Chock: Thank you. Please continue.

Ms. Mills: *Aloha.* I am a thirty-one (31) year resident of Kaua'i and four (4) year Maui resident after losing my house and business from Hurricane 'Iniki in 1992. In 1997, I returned, waiting for home rentals to go down. I have always been a renter. I could not afford property when it was eighty thousand dollars (\$80,000) more or less than the millions that it is today, so I have not personally had to pay for property taxes except for my business at Spouting Horn Park. I do pay General Excise (GE) taxes and I am still affected by rents, as my landlord has had to raise my rent several times. I have never thought it was my right to buy or lease land that belongs to the Hawaiian people. I am just a guest on this beautiful island. I am here today to speak on Bill No. 2576 and to support Julie Souza's testimony: a three (3) generation, local Hawaiian and Portuguese descent, local senior citizen, retired, with a forty (40) year tourist industry, and full of *aloha*. I am also in support of Sheila Lee's testimony. They want to keep Hoona Road zoned as is. It is one of the cutest, nicest roads on Kaua'i. Keep in residential, not vacation rentals, even though they have TVRs now. The taxes could greatly affect her and her family of nieces, nephews, and their children. I know her Hawaiian mother, Auntie Lei, and her father Uncle Louie, a retired policeman, are turning over and over in their grave as to what could happen with their life-long property if this does not stay residential. It is bad enough what they have had to go through with the original real estate owner who built a huge white, round "toilet paper" house that should have never been permitted to build across the street, and another huge house on the other side that blocks her ocean view that she had before 1982, which was once the Rosenberger home until wealthy people from Malibu and

France purchased it who got in trouble for dealing drugs out of the Kōloa self-storage that they had built. They cut down a one hundred (100) year old willow tree to put in a swimming pool when the ocean is ten (10) feet away. One of my first residence was 5136 Hoonā Road, where the toilet house sits today and rents for eight thousand five hundred dollars (\$8,500) a week. I lived in a twelve (12) by twenty (20) foot chinchilla house. I paid two hundred and sixty dollars (\$260) per month for rent with a two (2) story house on the same property and a school teacher lived upstairs. Maureen Murphy from the botanical gardens lived downstairs. I was ten (10) feet away from the ocean. I could sit on my bed and watch the guys surf at Prince Kūhiō's (PK's) Beach and I had my own small beach. I could see lots of owls at night. It was a dream come true. I knew all of my neighbors down the whole street. It was quiet. There was *aloha* for me and neighbors from the Souza's even though I was the new blonde *haole* on the block. It was a close, tight knit...

Committee Chair Chock: That is your three (3) minutes there, but you do have the opportunity to come back and complete your testimony. Thank you.

Ms. Mills: I will come back.

Councilmember Yukimura: Mary, do you mind if we circulate your photos?

Ms. Mills: Yes, that would be wonderful. I also have a picture of Auntie Lei and Uncle Louie.

Committee Chair Chock: Thank you. We will circulate that and ask the next speaker to come up.

Mr. Sato: Our next speaker is Beryl Blaich.

BERYL BLAICH: *Aloha* Councilmembers. My name is Beryl Blaich. I am a board member of Mālama Māhā'ulepū, but I am speaking today as an individual. I have followed the South Shore Community Plan process and the plans particularly regarding its content about open space conservation and preservation of the really unique resources of the south shore, of course in particular, Māhā'ulepū. Regarding Māhā'ulepū, I think the plan summarizes its history and its resources very well. It expresses the community's aspirations for access and preservation. It lists government efforts that have supported conservation of this area. It lays out a menu of some preservation options, and so appropriately it recognizes the landowner's long stewardship of the area and need for fair compensation for any land or entitlements that are given for public purposes. I think in that way, the plan is very balanced and it kinds of challenges us to meet both preservation and the landowner's need— this landowner in particular really has a lot of *aloha* for this place that they have been involved with for so long and have made open to the public. In short, I do think it moves the conservation of Māhā'ulepū forward. In that way, I think that the recommendation for transfer development rights program for Kaua'i is really helpful and desirable. Regarding the plan as a whole, I applaud the attention and the recommendations regarding transportation because first of all, they are very good and they also build on what the community has already done and the County has assisted the community to do in that arena. I am interested to watch the way that this form-based code regulations will translate into livable mixed use Kaua'i villages. It has to be for us, not just standard in some way. I think that it is especially wise

that there is going to be more planning for these special planning areas that these are conceptual right now, but a lot more has to go into thinking about them. I thought that the public's "in-reach" process, meaning the participatory process, was really exceptional with the highlights being the use of social media and the fact that the County and the consultants were at so many community events. I am thanking all of you for your work and I am saying that we all support this plan. Thank you.

Committee Chair Chock: Thank you.

Mr. Sato: Our next speakers are Leanna Thesken, Hali'a Hibbitt, and Helena Medeiros, followed by David Gregorius.

HELENA MEDEIROS: Hi. We are ninth graders from Kaua'i High School and we may not be the wisest...

Committee Chair Chock: Can you also state everyone's names?

Ms. Medeiros: This is Leanna Thesken, I am Helena Medeiros, and this is Hali'a Hibbitt. We might not be the smartest or wisest people in the room, but the stuff that happens here is really going to affect us later in life, so we just thought that we let you know.

LEANNA THESKEN: As far as the development plan for the Po'ipū Gateway Village, I think that having that many homes in that area will make us feel like sardines packed in a can. It would be very crowded and it could have a lot of effects and some of them can be negative, such as tension created in the environment. It might not be good. It could create violence and it could also create traffic with that many cars coming into the south side.

HALI'A HIBBITT: They want to do a minimum of one thousand one hundred (1,100) housing units on that property; that means one (1) house every five thousand (5,000) square feet. That is not very big for a house and property. You could fit two (2) of those into my personal house; into my family's home. It is not very big, plus you are adding two thousand (2,000) cars onto the road every single day, and that is with a two (2) car family.

Ms. Medeiros: Being a teenager, when I hear about things being built, I get excited, but I am also really torn because I feel like we are getting farther away from what Kaua'i is about. For starters, it will affect tourism. When people come here, they are looking more for natural beauty. If they want more city, they might go to O'ahu or maybe even Hawai'i Island, but Kaua'i is almost more natural and that is what is beautiful about it. We have so much nature and I feel like the more that we build and the more that we pack into a small space, the less appreciation there will be for beautiful things like the ocean and those things will get overcrowded. If there is a new shopping mall being built, you are excited because there are new opportunities and stuff, but at the same time, you kind of get a little torn because we are turning more into a city than we are accepting that we are a natural place. You cannot really go back from that. You can tear it down later if you do not want it anymore, but really it will not be the same.

Ms. Thesken: I would just like you to remember that the decisions you make today will affect our generation tomorrow.

Committee Chair Chock: Thank you. We have some questions.
Councilmember Yukimura.

Councilmember Yukimura: I first want to thank you for coming. It is so wonderful to have young people speak up because as you have said, it is more your future than ours and we want to hear your voice.

Ms. Hibbitt: Yes, it matters.

Councilmember Yukimura: Very much so.

Ms. Medeiros: Thank you for hearing us.

Councilmember Yukimura: I was wondering whether you will be able to be at the meeting next week...

Committee Chair Chock: No, the 18th.

Councilmember Yukimura: I am sorry. It is on the 18th that this matter will be back before the Council. Right now today, it is mainly to hear you and to clarify whatever you are saying to us because the planners will be here and they will get to hear what you are saying as well and you will get to hear what they have in mind in proposing that. It is not going to be a flat...

Ms. Hibbitt: It is building up like a Pa'anau Village...

Councilmember Yukimura: It could be a variety of all kinds of things. We would love to have you still engaged in the process to help us. Did you take off from school?

Ms. Hibbitt: No, it is Wednesday. We got out early.

Ms. Medeiros: Yes, we got out at 1:30 p.m.

Councilmember Yukimura: Okay, good. Our meetings are all on Wednesdays, so hopefully we can have you here, too. Thank you so much.

Committee Chair Chock: Councilmember Kagawa.

Councilmember Kagawa: You guys did a great job testifying. I teach freshmen at Kapa'a High School and I would be very proud of you guys. Good job. So you are against the current plan as is?

Ms. Hibbitt: Yes.

Councilmember Kagawa: Primarily because of the one thousand one hundred (1,100) houses by the gateway?

Ms. Hibbitt: Well, there is no doubt that we do need more housing on Kaua'i, but that is not just the area to do it.

Councilmember Kagawa: Are you talking about the gateway area to Po'ipū?

Ms. Hibbitt: Yes.

Councilmember Kagawa: Okay. Thank you.

Committee Chair Chock: Thank you. Councilmember Yukimura.

Councilmember Yukimura: If you think that we need more housing, but not there, then where do you think we should put the housing?

Ms. Hibbitt: There is other land that would be a better spot.

Councilmember Yukimura: That is what I am asking. Where would that be?

Ms. Hibbitt: Even if you did do that spot, you should definitely scale down the amount. It will be like a sardine can with those numbers that you currently have.

Councilmember Yukimura: Okay. Thank you.

Committee Chair Chock: Thank you very much for your testimony. I just want to make a clarification. There was a statement made earlier about this plan being reviewed with the consultants on the 18th. It is actually on our agenda next week, but we are asking for a deferral. We have two (2) different plans in front of this Council right now, so we are asking that we do not run them together at the same time. So next week, we will be looking at the Līhu'e Plan, and then asking for a deferral to the 18th for the South Shore Plan. Thank you. Next speaker, please.

Mr. Sato: Our last registered speaker is David Gregorius.

DAVID GREGORIUS: *Aloha.* Good afternoon. My name is David Gregorius. I apologize because I did not quite understand that formality of this, so I did not really research or prepare anything, but I will wing it until I get a red light. I am a resident of the Weliweli Tract in Po'ipū. There are about one hundred (100) homes. Some of you know where that is. My point I want to discuss is the Po'ipū Gateway mixed-use village that these ladies thankfully came up before me to kind of get it stirred up, and their presentation was much better than mine, I have to say. I consider myself a pretty educated and informed kind of person. I have lived here for six (6) years. I had no idea what the South Kaua'i Community Plan was. I never even heard of it until one (1) month ago. A lot of it looks great, but I feel like a ton of people that it is really going to affect have no clue what is going on. When this came to my attention, especially this mixed village thing that is going to literally "butt-up" to our backyards— I asked several neighbors on my street and nobody had any idea about it. I think it is fascinating how somebody can come along and put together this proposal to build this one thousand one hundred (1,100) unit living village right next to a neighborhood. We are like the greatest neighborhood in Po'ipū, if you ask me, and it is going to affect us a lot, and nobody knows about it. Did anybody call me? That is something that instead of putting a notice on the door or on the wall somewhere, or on a website— come door to door if you have to because not everybody is as tech savvy or internet savvy, so nobody

knew about it. The more I read about it— I am glad that we now have another month or until the 18th to get more information. I spent half my day yesterday E-mailing neighbors, calling Grove Farm, and asking questions about it. I have to say that I agree with Leanna and the other two (2) young women. I cannot support it, I must say, and I am probably selfish for my neighborhood. I cannot say, but I probably speak for most of the people in my neighborhood. It seems like it would decrease our home values. The construction— there is a huge area and it is going to be building for years I would imagine, and this is directly east of us and we are downwind of it, so there is going to be dust blowing on our homes for however many years they are building. Then there will be traffic, crowds, and more people down there. I already set-up a meeting with somebody from Grove Farm to talk about it, not that they are going to have any say in it, but one (1) month from now I am going to come back...

Committee Chair Chock: That was your three (3) minutes. You may have questions here. Are there any questions? I just want to thank you for going the distance also and reaching out to Grove Farm and everyone else. There is a website, "southkauaicp.com" where this plan can be viewed. I am not sure if you got to take a look at that.

Mr. Gregorius: Yes, I have read one hundred seventy-three (173) pages of it; not every page, but I read most of it.

Committee Chair Chock: Have you had a chance to read about form-based code and have you read about the traffic mitigation plans as well?

Mr. Gregorius: I did not read that part.

Committee Chair Chock: Okay. Thank you for your testimony. Would anyone else like to testify who has not had a chance to yet? Please come up. If anyone would like to testify, it would be best if you come up so that we can sign you up, and then we will know how many more testifiers we have. Please go ahead.

JULIANA CHERRY: Juliana Cherry. I also live in Weliweli Tract. I also just really learned about this yesterday. My concern is to understand what your process is because here I am obviously about two (2) years behind of being able to say anything. Am I able to ask some questions rather than just say or should I just read my questions?

Committee Chair Chock: This public hearing is to receive your testimony.

Ms. Cherry: Okay. I am wondering how long this particular repeal process of Bill No. 2576 takes because my understanding is that you have to repeal Bill No. 2576 in order to adopt the South Kaua'i Community Plan. I am wondering what the process is. Is there more public input? You have mentioned about the March 18th meeting. Some things that bothered me was the Section 6.1.1 "Transfer of Development Rights" to create more density. I understand and probably giving some possible development from Māhā'ulepū and putting it over in the Ala Kinoiki area in the gateway was... that is something that planners use; I understand that, but that is kind of a difficult point for those of us who live in an undeveloped place and like it. I am wondering at what point or is the County actually required to send a written notice to all residents? I have heard this

before in other counties like all residence within three hundred (300) feet of a zoning change gets some kind of notice. I do not think I received any notice about this yet, so I do not know if that is something that you usually do. My other question is regarding Section 6.1.1.2. This involves the master plan and appropriate transects identified the adoption of them. Is this master planning phase something that us residents in the Weliweli Tract can come and bring some proposals? "Hey, put a walking green belt in between us and your development." How about some organic community gardening plots there for people? Let us try to work together because development is going to happen. The last thing that really bothered me was Section 6.1.1.3, "Land Use Entitlement and Approval Processes." I am going to just read this. I copied it down from your website: "Related to the above," and it is talking about the master plan being developed for these Special Planning Areas (SPAs).

Committee Chair Chock: That concludes your three (3) minutes.

Ms. Cherry: Okay.

Committee Chair Chock: We do have an opportunity to ask you questions and I think we have one here. Councilmember Yukimura.

Councilmember Yukimura: Thank you for coming today and expressing your concerns. Are your written questions available for us to have for the record?

Ms. Cherry: Yes.

Councilmember Yukimura: You may also E-mail it to us later if you wish.

Ms. Cherry: Okay.

Councilmember Yukimura: Thank you for coming from a place of inquiry; that is wonderful. I think a lot of your questions can be answered by the Planning Department and I have to say that this process has been ongoing with a lot of community meetings. I do not know how certain individuals of you who have not heard about it get your news, but there has been a lot of public information about it. The decisions have not been made, so there is time for input. I do not want to try to answer all of your questions here.

Ms. Cherry: Are we talking weeks, months, or years? Have you adopted some of the other drafts or has nothing been adopted?

Committee Chair Chock: I am going to end this portion here for you, but we have just started our process here at the Council with this plan. I believe we will put you in touch with our Planning Department before you leave and we would like to receive your questions in addition, so that they can be answered.

Ms. Cherry: Do you mind if I just took two (2) minutes and read the 6.1.1.3 Section?

Committee Chair Chock: No, if you would like additional time to testify, then you can come back because you can have another three (3) minutes.

Ms. Cherry: I will come back.

Committee Chair Chock: Okay. Next speaker, please.

Mr. Sato: The next speaker is Terrie Hayes, followed
by Jeri Di Pietro.

TERRIE HAYES: *Aloha* Councilmembers. Terrie Hayes for the record. I am indeed a south shore resident and proud to be one. I am really troubled by what is going on. I understand part of this plan. I am unclear about specifically the map that I am looking at. This is the proposed development of the one thousand one hundred (1,100). Is that what the girls were talking about? Well, I am confused. Let me just admit to that. What I really wanted to address— I am on the board of Hui Mālama O Kāneiolouma, but I am speaking as an individual. I am very concerned with what is going on in the south shore. I feel like we addressed this a few years back and the (inaudible) in the economy kind of crushed it when we had those twelve (12) simultaneous developments going on in Po'ipū, when we had the dustbowl days, and a toxic nightmare there. It is too soon in my memory to forget it. What I would like to say specifically about the proposed dairy is the proximity to our well water. Even though that might not be something that you are considering, I think you really need to because that is our drinking water. There are many references in it from the Housing Development Fund (HDF) proposal that cites where they are and they are not absolutely accurate. That is part of the problem that we had with a lot of the proposals because there is quite a bit of misinformation being put out. We have had some meetings about it through the 'Aha Moku Advisory Council, of which Billy is the *moku* in our district. It has been disconcerting as what has happened at those meetings and the way they were handled. Luckily, Arryl Kaneshiro was at one of them and he could attest to what had happened at Kōloa library, but it is very troubling that certain things have kind of evolved, which seemed not to do with this plan or anything that is going on. It is just this err of uncertainty, unrest, and misinformation that seems to be going out. What I would say, Mr. Kagawa, if you would not mind me saying so is that we really need to stop this industrial nightmare in any way we can. I would hope that you all would become more involved. I do not know if it is out of your hands at this point. I understand that many of our comments have been referred to the State and to the Department of Health, which was I guess the one who gave the okay to this. To say that it is not part of the south shore: Māhā'ulepū, the beaches, the water, the water table, and the underground water is really to ignore...he said a "gorilla," but I would say the "pink elephant" in the room. It is really something that we need to consider before anybody develops anymore.

Committee Chair Chock: *Mahalo.* You have a question from Councilmember Kagawa.

Councilmember Kagawa: I guess in response, nobody has ever told me that there is a way that the Council can stop the dairy. My question was basically, is the plan your suggestion to stop the dairy? I do not think the plan is my suggestion. I do not think the Council can amend the plan and it would stop the dairy. I am saying to give us a vehicle that we can stop the dairy by having a unanimous vote of some sort if that is what you want. I am saying that the South Shore Plan is separate. Let us not stop the South Shore Plan because of the dairy. If amending the South Shore Plan would fix the problem with the dairy, then I would say, "Okay, that would be the appropriate vehicle." But in my purview, the

South Shore Plan approval has nothing to do with whether the dairy will be stopped or not. I think that is what I am asking is if Mālama Māhā‘ulepū has a suggestion, then let us get that item specifically on the table regarding the dairy: “Yes or no, does the County Council support the dairy or not?” I think that would make more sense than trying to make the dairy decision based on the South Shore Plan. That is all my suggestion is. It is not to say whether I am for or against the dairy.

Ms. Hayes: I understand that, but then I guess what I am troubled with is that this plan does not address our water. I do not see anything in this plan that addresses drinking water, safe water, or ocean water. I do not see anything in here. I guess for that reason, I would recommend that this goes back for further reconsideration that we have to do something that is vital to all of our life, which is to take care of our water, wherever it comes from.

Committee Chair Chock: *Mahalo.* Any other questions? Next speaker, please.

Mr. Sato: The next speaker is Jeri Di Pietro, followed by Matthew Bernabe.

JERI DI PIETRO: *Aloha* Council. My name is Jeri Di Pietro. I am a board member with Kōloa Community Association and Mālama Māhā‘ulepū, speaking as a private citizen here today. Thank you for this first hearing on the South Shore Community Plan before the Council. Overall, I am in support of most of the plan as proposed. I had the honor to participate in several of the meetings of the Citizens’ Advisory Committee (CAC) meetings as an alternate. Some of the things that I am hearing here today were kind of brought up and I did question that also, like how much more could we insert in this that would provide protection, look at waste management, and those kinds of things. What I would like to say today is that the idea of form-based code seems like a really good proactive measure. I like the plan for the more walkable communities, safe passage to Kōloa School, and the complete streets. Some of the transportation planning incorporated from the Charlier plan was worked in to alleviate some of the bottleneck spots without having to widen or build more roads, so I think that transportation planning is good in there. I also strongly echo the support for preserving and retaining the homes near Hoona Road as a “local residence only” area. We have so few local neighborhoods left in the Kōloa-Po‘ipū-‘Oma‘o area. I am glad that the Gateway project was brought up today because it is a little overwhelming. In the meetings that I attended, it was first discussed as workforce housing, so I am glad that we are going to get to dive into that a little deeper. I would like to emphasize that John Isobe and several of the commissioners at the Planning Department did bring up the desire to incorporate language into the South Shore Community Plan for the opportunity to state the community desire for open space and conservation of the *ahupua‘a* of Māhā‘ulepū. I think for residents and visitors for future generations, in the past, Patsy Mink, Governor Cayetano, and Senator Inouye all supported preservation and open space of this area with fair compensation for the landowners, so please consider the long-term value of open space and I look forward to seeing you again on March 18th for the larger plan. Thank you very much.

Committee Chair Chock: Next speaker.

Mr. Sato: Our last registered speaker is Matthew Bernabe.

Committee Chair Chock:

Mr. Bernabe, welcome back.

MATTHEW BERNABE: Matthew Bernabe. I am going to play a little “Devil’s advocate” here. Everybody is talking about this traffic issue, right? Well, I just read an article in the local newspaper just the other day about a gentleman who was grumbling about our Kapa’a bypass when he went to Papaya’s to buy his “gluten free thingy.” That is a quote; that was in the article. As the young girls pointed out, and I wish they would have stayed, they admit that Kaua’i needs growth. Kapa’a is projected to have a new subdivision right by my house and that has its own conflict, but my point being is that if there was more people out there, maybe Papaya’s would want to put a second Papaya’s out there. I fished that whole coast. Their traffic is nothing. You take longer to get out of Safeway parking lot than it is to get through those roads in Kōloa. When you go to Papaya’s, and then you want to leave Papaya’s— you time yourself; minimum twenty (20) minutes— minimum— just to get out of the parking lot. Yes, Kaua’i needs growth. That is another argument. People can argue that to death, but I disagree that Kōloa is not the place to put the houses. They have wide open space and they are taking the water from Loop Road anyway, right? The lady is worried about the water, but the water is coming from Loop Road. Where else are we going to put these houses? It is exactly where they should go. I am sorry that they moved here and they feel that they are entitled to have the bluff up on top the grass, but that is how it is. We are expanding and growing. Do you want to have the argument if we should not? We should just put a moratorium on growth; that is another day. I am representing Kapa’a because we need to get some houses on the south side and make more business over there, so that they do not have to come to Līhu’e. Līhu’e is so centralized that everybody is going to Līhu’e. That is all I wanted to say.

Committee Chair Chock: Thank you. Would anyone else like to testify who has not? With that being said, would anyone like to testify who has already testified for the second time? Mr. Rowe, you may come up.

RUPERT ROWE: My name is Rupert Rowe. I have a question: do you see this map right here? What is this development there? Grove Farm?

Committee Chair Chock: You can hand it to Scott because I cannot see the document.

Mr. Rowe: The reason I ask that question is because there are two (2) things taking place in the south side from the *heiau* to the bypass road. With all of the development in there, the *heiau* will become the catchment basin for everything that is taking place on that particular area. This is a problem that has been going on for a very long time and we have never figured the problem out. With all of this development, there are two (2) things that I am very puzzled by: the flow of the water that will come down towards the beach side because there is no place to unload it into the ocean where it is supposed to go. Using the *heiau* as a catchment basin— I do not think that is right culturally, spiritually, and emotionally on the social fabric of the community and the people of that culture. The second thing I learned is that we have no answer for the garbage that will be generated. It is a thing that the past administrations always “kicked the bucket down the road.” We have never come forth with a true and honest plan before development can go forward. Somehow, in the Planning Department, it is a process, but it is not an answer for the immediate problems that this island is facing

in the future. Growth is very beautiful. Everybody makes money. But let us put the same rubbish that you generate back in your yard and figure out how much you are putting out there. That is all I have to say. I am just confused on the process of what is taking place in this particular area on the drainage flow and the most important thing that we live on our island is the garbage. That is all I have to say.

Committee Chair Chock: Thank you. We have questions here.
Councilmember Yukimura.

Councilmember Yukimura: Hi Rupert.

Mr. Rowe: Hi.

Councilmember Yukimura: Thank you for coming. You always make us think more. What I am hearing you say, and I know you have said it for years now, is that we do not have a drainage plan in Po'ipū that is associated with the development plan. We have not figured that out. That will be one of the questions we will ask the planners when they come before us.

Mr. Rowe: Okay.

Councilmember Yukimura: Solid waste— you and I have been talking about solid waste for a long time. That is an island wide plan that has to be done, but we will see.

Mr. Rowe: On the solid waste, if we have not learned nothing about Hawai'i, when you look at O'ahu, it has no answer.

Councilmember Yukimura: That is right.

Mr. Rowe: Do we have an answer for what they do?

Councilmember Yukimura: We do, but we have not stuck to our answer. We have an Integrated Solid Waste Management Plan with a seventy-five percent (75%) recycling and diversion goal, but we have not been following it.

Mr. Rowe: Okay.

Councilmember Yukimura: But we have a better plan than O'ahu if we follow it. Thank you.

Mr. Rowe: My only concern is that the *heiau* is not a dumpsite for anything that is taking place.

Councilmember Yukimura: Is there a problem with solid waste at the *heiau*, too? Is it more water?

Mr. Rowe: Well, we are going to get there...that is a whole different thing, so I do not think this is the time to discuss the things that is taking place at the *heiau* at this meeting.

Councilmember Yukimura: Okay.

I am only talking about the drainage and the

Committee Chair Chock: Thank you. Would anyone else like to testify for a second time?

Committee Chair Chock: You have a question from Councilmember Yukimura.

Ms. Cherry: Okay. Thank you.

Okay. Who will I E-mail my question to?

Committee Chair Chock: Thank you. You may come up.

Ms. Hayes: *Mahalo.* Terrie Hayes for the record. I failed to mention that I do support the small homes in the Baby Beach area. We have many visitors that actually do come and use those as vacation rentals because of the charm that is there. They have every opportunity to stay in large hotels, but they choose to stay in that area. It is one of the few places that you can still drive in Po'ipū that has the wonderful charm of the homes and the people that live there. There are so few local residents anymore. We can count them on one (1) hand on our street and it is disconcerting. Those that live there are trying very hard to maintain their homes and their lifestyles, so I do support that you do not allow anymore development in that area. I did want to say that there was a spot that I saw about water in the vision and goals section, Section 10.6.2 (C), "Vision for Po'ipū." "Po'ipū will be a world class sustainable resort..." "Sustainable"—let us use that word first.... "Destination, serving residents and visitors alike developed responsibly with clean, healthy beaches and ocean environments." The only way we can keep our beach and ocean clean is to prevent unmitigated runoff and problems, so we need to have that plan. JoAnn, I totally agree with you that we have to have some sort of a plan. This is one of the things that helped established Kaneiōlōuma, which was the desire to have a huge development between the south shore and

Saint Raphael Church. If you remember, we were before the Land Use Commission many years ago about it and their intention was to use Kaneioulouma as the detention basin, so it is one of the lowest spots. Water seeks the lowest spot and there is the terrain that comes on our side that really needs to be considered; likewise from Māhā'ulepū where it is one hundred sixty (160) feet directly down to the ocean. In order to maintain the vision for Po'ipū, which I totally agree with, we really need to consider the water. I thank you very much for your time.

Councilmember Yukimura: Terrie, so your point about so few local residents in Po'ipū— if the Gateway project can be designed and controlled to actually enable more local residents in Po'ipū, is that something that you think would be a positive?

Ms. Hayes: Absolutely. I will say that I know there is relatives of Billy's family that have often said that if they can have twenty (20) or thirty (30) acres in Māhā'ulepū valley then they would love to be farmers. There are young people that have the energy and the wherewithal to actually do something, so I think that there are some opportunities, like for the girls that were here, that in order to keep the quality people that are growing up here, here. We have to make a plan for them. In sixty (60) years, this could all "go to hell in a handbasket" or ever sooner if we do not all take action now. There is so much evidence about it, JoAnn, that you know we have talked about this at length that we really need to step up to the plate and not just bap this around. We need to do something definitive that is going to make a difference for us. I do not know if that is an ordinance change or water quality issue that they are going to be speaking at the meeting that is coming here. There are a lot of agencies that seem to be involved in it, but what is anybody really going to do about it? Luckily, the lack of planning now has prevented any runoff from coming into Kaneioulouma. As a low spot, just like Māhā'ulepū Beach, there is only so many places that the water will actually tend and Gilligan's stream...Waiopili Stream is already contaminated. There is evidence of that, so that troubles a lot of us. We really want somebody to look into it locally, statewide, or federally; whatever it takes. It is something very important when you know people who have ear infections from swimming and surfing and there is no fish because of the complications with what is happening to the water. It is nothing specific; it is the snowball effect. There are too many things that have infected our areas.

Councilmember Yukimura: Thank you very much, Terrie.

Ms. Hayes: Thank you for your time. I appreciate it.

Committee Chair Chock: Mr. Rachap, you may come up.

Mr. Rachap: Thank you. I would just like to clarify my position. I think Councilmember Kagawa maybe misunderstood how I relate the dairy farm issue to the South Kaua'i Community Plan. If you look at the plan, it tries to envision what the future of this area will look like and I maintain that the future will look a whole heck of a lot differently if that proposed dairy farm goes in or if it does not go in; some other uses there or no use of the change from existing. All I am asking is that you ask the Planning Department to take a look at that aspect of it. If you look at the plan in Section 6.5.5, there are stated indicators, measures of success. In other words, Planners like Marie Williams and crew are saying, "Okay, this is the plan. How do we judge whether it is working or

happening the way we want?" Section 6.5.5 "Economic Indicators," increase in the number of jobs; reduction in unemployment—is that going to happen? Increase in the numbers of visitors and occupancy rates—is that going to happen? Increase in property values and tax collections—is that going to happen with or without the dairy farm? I am saying that it ought to be studied. To not look at it is to just ignore the weather forecast that a hurricane is coming and say, "Well, we are going to go have our planned picnic." It is something that ought to be looked at. The Planning Department has the capabilities of doing that and it is something that I think the Council should require that they consider before you vote on the adoption of the plan. Thank you.

Committee Chair Chock: Thank you. Is there anyone else?

Ms. Mills: I will just finish up here shortly.

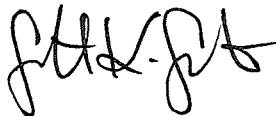
Committee Chair Chock: Thank you.

Ms. Mills: Mary Mills. I knew all of my neighbors down Hoona Street. It was quiet. There was *aloha* for me and my neighbors from the Souza's, even though I was the new blonde, *haole* on the block. There was a closeness, tightknit, "*mālama pono*," take care of one another day of Hurricane Iwa where everyone helped each other nail wood on their windows. What a joke. By 10:00 a.m., the ocean is already over the seawall. The shoreline returned to the way it was fifty (50) years ago. Now, eighty-five (85) years, no beach and a different seawall is built. The Lord says, "Do not build your house up on sand." Please keep this area and our residential neighborhoods there a residentially zoned area. I have a question. I do not know who chooses the commissioners for the Planning Department. When someone is on the Planning Commission and is associated and involved deeply with the real estate on the south shore at this area is of my concern and to keep the zone at that area. What prevents that some other billionaire would not try to buy the whole neighborhood and build a hotel or condo when it is the only south shore left that could possibly be built on. Today, I have a friend that owns a house on that island. She does rent it out as a vacation rental. She has purchased the house originally for her son and daughter to eventually come back to Kaua'i, and she has told me that after that time, if not, it would be donated to the King Kamehameha Schools in Honolulu. She has also told me that she has already been offered over five million dollars (\$5,000,000) from two (2) movie stars to buy her house. I know that at this time right now that people from the Hawai'i dairy farm have been renting vacation rentals there and are interested in houses in that area also. *Mahalo*.

Committee Chair Chock: Any more speakers? If there are no other speakers, we are going to defer it next week to move this specific item to March 18th. Is it scheduled for the first item? Not yet. I may make that request because I know that we have consultants coming in, so we can expect to see it first thing on the agenda if there is nothing else. We will now conclude this public hearing. Thank you.

There being no further testimony on this matter, the public hearing adjourned at 2:57 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S.K. Sato", written in a cursive style.

SCOTT K. SATO
Council Services Review Officer

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